

**FREQUENTLY ASKED QUESTIONS (FAQ)**  
**Relationship Disclosure Form**  
*Updated 11-26-08*

**WHAT IS THE RELATIONSHIP DISCLOSURE FORM?**

The Relationship Disclosure Form (form OC CE 2D and form OC CE 2P) is implemented as a part of the Local Code of Ethics to ensure that all procurement or development-related items presented to or filed with the County include information on each applicant as to their relationship with the Mayor or members of the BCC. The form will be a part of the back up information for your item.

**WHY ARE THERE TWO RELATIONSHIP DISCLOSURE FORMS?**

Form OC CE 2D is used for development-related projects. Form OC CE 2P is used for procurement-related projects. You will only file one form.

**WHAT INFORMATION SHOULD BE DISCLOSED ON THIS FORM?**

Form OC CE 2D (for development related items) -- A relationship disclosure form should be filed with the box checked "YES" and the relationship described if the applicant or any member of the applicant's team is a *business associate* of the Mayor or any member of the BCC; if any person involved with the item has a beneficial interest in the outcome of the matter and is a business associate with the Mayor or any member of the BCC; in cases where the applicant or member of the team is a *relative* of the Mayor or any member of the BCC; and in those cases where the Mayor or any member of the BCC is an *employee* of the applicant or member of the team.

Form OC CE 2P (for procurement related items) -- A relationship disclosure form should be filed with the box checked "YES" and the relationship described if the applicant or any person involved with the project is a *business associate* of the Mayor or any member of the BCC; if any person involved with the project has a beneficial interest in the outcome of the matter and is a business associate with the Mayor or any member of the BCC; in cases where the applicant or any person involved with the project is a *relative* of the Mayor or any member of the BCC; and in those cases where the Mayor or any member of the BCC is an *employee* of the applicant or any person involved with the project.

**HOW ARE THE RELEVANT TERMS DEFINED?**

*Business Associate* means any person or entity engaged in or carrying on a business enterprise with a public officer, public employee, or candidate as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property. (s.112.312(4), Florida Statutes, and s. 2-452(b), Orange County Code)

*Relative* means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother,

half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the public officer or employee or who otherwise holds himself or herself out as or is generally known as the person whom the public officer or employee intends to marry or with whom the public officer or employee intends to form a household, or any other natural person having the same legal residence as the public officer or employee. (s. 112.312(21), Florida Statutes)

*Employee* means any person who receives remuneration from an employer for the performance of any work or service while engaged in any employment under any appointment or contract for hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed, and includes, but is not limited to, aliens and minors. (Please see s. 440.02(15), Florida Statutes, for further details on this definition.)

#### WHAT IF THE ANSWER IS “YES”?

The information on this form is available to the BCC and this form will accompany the item as back up. However, for development-related items, if an applicant discloses the existence of a relationship as described above and the matter would normally receive final consideration by the Concurrency Review Committee or the Development Review Committee, the matter will be directed to the BCC for final consideration and action following normal committee review.

#### WHEN DO I FILE THE RELATIONSHIP DISCLOSURE FORM?

In most cases this form will be collected at the time you file your project application or at the time you submit your procurement-related forms. However, response to a bid will not be deemed unresponsive if this form is not included in the initial submittal packet to the Purchasing Division.

#### CAN I UPDATE THE RELATIONSHIP DISCLOSURE FORM?

Yes, you may. In fact, updates to the Relationship Disclosure Form remain a continuing obligation of the applicant, principal, bidder, or other person completing this form.

#### WHERE DO I FILE THE INTIAL FORM AND SUBSEQUENT UPDATES?

The Relationship Disclosure Form and any update to the Relationship Disclosure Form should be filed with the County Department with whom you filed your application.

#### CONCLUSION:

We hope you find this FAQ useful to your understanding of the Relationship Disclosure Form. The County Attorney’s staff is unable to render legal advice to constituents; however, constituents are encouraged to seek legal advice on matters of the law from their own legal counsel.